

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

AVROM BORIS LASAROW, individually and as an officer of L HEALTH LTD., formerly known as LASAROW HEALTHCARE TECHNOLOGIES LTD., et al.,

Defendants.

Case Number 15-cv-1614

Judge Matthew F. Kennelly

Magistrate Judge Jeffrey Cole

**PLAINTIFF FEDERAL TRADE COMMISSION'S MOTION FOR ENTRY OF A
STIPULATED FINAL JUDGMENT AND ORDER FOR PERMANENT INJUNCTION
AND OTHER EQUITABLE RELIEF AGAINST DEFENDANT AVROM BORIS
LASAROW AND MEMORANDUM IN SUPPORT**

Plaintiff Federal Trade Commission ("FTC" or "Commission") respectfully requests that the Court enter the attached proposed Stipulated Final Judgment and Order for Permanent Injunction and Other Equitable Relief against Defendant Avrom Boris Lasarow ("Order"). The proposed Order, similar to those the Court entered against defendants Kristi Kimball and her company New Consumer Solutions LLC (Dkt. 27) and L Health Ltd. (Dkt. 34), would remedy the challenged practices by defendant Lasarow and prevent their future recurrence. In addition, the Order would resolve this litigation. The Commission therefore respectfully requests that the Court grant its motion and enter the proposed Order against defendant Lasarow.

I. PROCEDURAL HISTORY

The Commission filed its Complaint for Permanent Injunction and Other Equitable Relief on February 23, 2015 against defendant Lasarow and his company L Health Ltd. (the "Lasarow

Defendants”), and Kristi Kimball and her company, New Consumer Solutions LLC (the “NCS Defendants”). (Dkt. 1.) The Complaint alleges violations of Sections 5(a) and 12 of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. §§ 45(a), 52. The Commission thereafter submitted a proposed Stipulated Final Judgment and Order for Permanent Injunction and Other Equitable Relief against the NCS Defendants, which the Court entered on April 30, 2015. (Dkt. 27.) The Commission also submitted motions to enter a default and a default judgment against defendant L Health Ltd., which the Court entered, respectively, on April 21 and May 29, 2015. (Dkt. 18, 34.)

II. THE PROPOSED STIPULATED FINAL JUDGMENT AND ORDER

The proposed Order closely resembles those the Court entered against the other defendants, and contains permanent injunctive relief, equitable monetary relief, and monitoring provisions to ensure compliance. The Order would prohibit defendant Lasarow from: representing without substantiation that any device detects or diagnoses melanoma or risk factors of melanoma, or increases users’ chances of detecting melanoma in early stages (Section I); making other unsubstantiated health-related claims (Section II); misusing customer information (Section VI); or failing to preserve records relating to claim substantiation (Section VII). The above provisions are tailored to prevent defendant Lasarow from engaging in the challenged, and reasonably related, misconduct.

As with the order against defendant L Health Ltd. (Dkt. 34), Section III of the proposed Order is an equitable monetary judgment for \$58,623.42, a reasonable approximation of the Lasarow Defendants’ sales. (Dkt. 30.) The proposed Order suspends the judgment based on defendant Lasarow’s demonstrated inability to pay, but provides the sum will become

immediately due and payable if he materially misrepresented his assets. Section IV contains other provisions related to the monetary judgment.

The proposed Order also contains standard monitoring, recordkeeping, and reporting provisions designed to facilitate defendant Lasarow's compliance and, if necessary, enforcement by the Commission. Such provisions include required order distribution to key personnel and acknowledgment of receipt (Section VIII); reporting requirements (Section IX); compliance recordkeeping (Section X); and compliance monitoring (Section XI). The Court would retain jurisdiction for enforcement purposes, such as contempt (Section XII).

III. CONCLUSION

For the forgoing reasons, the Commission respectfully requests that the Court enter the attached proposed Stipulated Final Judgment and Order for Permanent Injunction and Other Equitable Relief against Defendant Avrom Boris Lasarow.

Dated: August 12, 2015

Respectfully submitted,

JONATHAN E. NUECHTERLEIN
General Counsel

s/ Guy G. Ward
GUY G. WARD
Federal Trade Commission
55 W. Monroe Street, Suite 1825
Chicago, Illinois 60603
Tel.: 312-960-5612
Fax: 312-960-5600
Email: gward@ftc.gov

MARY JOHNSON
KAREN MANDEL
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, D.C. 20850
Tel.: 202-326-3115, -2491
Fax: 202-326-3259
Email: mjohnson1@ftc.gov, kmandel@ftc.gov

Attorneys for Plaintiff
FEDERAL TRADE COMMISSION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on August 12, 2015, a copy of the forgoing Notice of Motion and Plaintiff Federal Trade Commission's Motion for Entry of a Proposed Stipulated Final Judgment and Order for Permanent Injunction and Other Equitable Relief against Defendant Avrom Boris Lasarow and Memorandum in Support were electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of filing to counsel of record for Defendants Kristi Zuhlke Kimball and New Consumer Solutions LLC and to Defendant Avrom Boris Lasarow, appearing *pro se*.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on August 12, 2015.

s/ Guy G. Ward
GUY G. WARD
Federal Trade Commission
55 W. Monroe Street, Suite 1825
Chicago, Illinois 60603
Tel.: 312-960-5612
Fax: 312-960-5600
Email: gward@ftc.gov